

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Subpoena to Jesse Eisinger,

Non-party Movant.

BAKER and BAKER,

Plaintiffs,

v.

GOLDMAN SACHS & CO., et al.,

Defendants.

x

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

x

Misc. No. 09-10053-PBS

Case Pending in U.S. District Court for the
District of Massachusetts
No. 09-10053-PBS

**MOTION OF NON-PARTY JESSE EISINGER
TO QUASH SUBPOENA**

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 26(b)(2)(C), Fed. R. Civ. P. 26(c) and Fed. R. Civ. P. 45(c)(3), and upon the accompanying Memorandum of Law and the declaration of Gayle C. Sproul, non-party Jesse Eisinger hereby moves this Court to quash the subpoena issued in the above-referenced matter, and for such other and further relief as the Court deems just, necessary and proper..

Dated: New York, New York
March 15, 2011

Respectfully submitted,

LEVINE SULLIVAN KOCH & SCHULZ, L.L.P.

Gayle C. Sproul

Amanda M. Leith

321 W. 44th Street, Suite 510
New York, NY 10036
t: (212) 850-6100
f: (212) 850-6299

Attorneys for Non-party Jesse Eisinger

CERTIFICATE OF SERVICE

I, Amanda M. Leith, hereby certify that on this 15th day of March 2011, I caused to be served a true and correct copy of the foregoing MOTION TO QUASH SUBPOENA, and the accompanying MEMORANDUM OF LAW and DECLARATION OF GAYLE C. SPROUL in support thereof upon the following counsel of record via electronic mail and Federal Express mail service:

Attorneys for Plaintiffs:

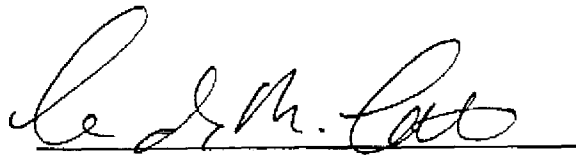
Terence K. Ankner
The Law offices of Partridge,
Ankner & Horstmann, LLP
200 Berkeley Street
16th Floor
Boston, MA 02116
617-859-9999
Fax: 617-859-9998
Email: tka@anknerlaw.com

Alan K. Cotler
Reed Smith, LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103
215-241-7905
Email: acotler@reedsmith.com

Attorneys for Defendants:

Annmarie A. Tenn
Ropes & Gray LLP - MA
Prudential Tower
800 Boylston St.
Boston, MA 02199-3600
617-951-7519
Fax: 617-951-7050
Email: atenn@ropesgray.com

John F. Lynch
Paul Vizcarrondo
Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, NY 10019
713-787-1400
Email: jlynch@wlrk.com



Amanda M. Leith